

**EXHIBIT 3**

**SBF Application to Stay Liquidation Proceeding**



THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA

Submitted Date: 12/12/2022 11:20

Claim No. ANUHCV2022/0480

Filed Date: 12/12/2022 11:22

IN THE MATTER OF EMERGENT FIDELITY TECHNOLOGIES LTD

Fees Paid: 42.00

And

IN THE MATTER OF THE INTERNATIONAL BUSINESS CORPORATIONS ACT, CAP. 222

And

IN THE MATTER OF CPR 26.2(1)(Q) AND (W)

BETWEEN

ANGELA BARKHOUSE AND TONI SHUKLA (AS  
RECEIVERS OF EMERGENT FIDELITY  
TECHNOLOGIES LTD)

Respondents- Petitioners

- and -

EMERGENT FIDELITY TECHNOLOGIES LTD

Respondent

- and -

SAMUEL BENJAMIN BANKMAN-FRIED

Applicant-Intended  
Interested Party

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NOTICE OF APPLICATION

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The Applicant, Samuel Benjamin Bankman-Fried of 27 Veridian Corporate Center, Western Road, New Providence, Nassau, Bahamas, applies to this Honourable Court for the following orders:

1. The Applicant is constituted an interested party in the instant proceedings.
2. There be a stay of proceedings in the instant matter pending the determination of the Applicant's application for a discharge of a receivership order in the matter of ANUHCV2022/0456 - *Yonatan Ben Shimon v (1) Emergent Fidelity Technologies Ltd and (2) Samuel Benjamin Bankman-Fried*

3. No order as to costs.

**A draft of the Order sought is attached.**

**The grounds of the Application are:**

1. The Applicant is the 90% shareholder of the Respondent Company that is the subject of the instant proceedings and accordingly has an interest in the liquidation proceedings.
2. The liquidation petition has been brought by the Respondent Company's receivers. There is presently an application to have the order appointing the Petitioners as receivers of the Respondent Company revoked.
3. The overriding objective is best served by the imposition of a stay in the instant proceedings pending the determination of the application concerning the receivership order.

**An affidavit accompanies this application.**

Dated the 12<sup>th</sup> day of December 2022



**David Dorsett, Ph.D.**

Watt, Dorsett, Hewlett Law

Attorneys-at-law for the Applicant-2<sup>nd</sup> Defendant

Kingsgate Chambers

55 Newgate Street

St. John's, Antigua

(T): 462-1351

**NOTICE:**

This application will be heard by \_\_\_\_\_ on the \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_ 2022 at [ \_\_\_\_\_ ] at the High Court of Justice, Parliament Drive, St. John's, Antigua.

**If you do not attend this hearing an order may be made in your absence.**

**NB This notice of application must be served as quickly as possible on the respondent to the application.**

The court office is at Parliament Drive, St. John's, Antigua, telephone number 462-0609, FAX 462-3929. The office is open between 9:00 am and 3:00 pm Monday to Friday except public holidays.

The Applicant's address for service is: Watt, Dorsett, Hewlett Law  
Kingsgate Chambers  
55 Newgate Street  
St. John's, ANTIGUA

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